

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX

JOSEPHAT HENRY, et al.	:	CIVIL ACTION
	:	
v.	:	
	:	
ST. CROIX ALUMINA, LLC, et al.	:	NO. 99-0036

ORDER

AND NOW, this 13th day of April, 2009, based on the withdrawal by plaintiffs of their expert witness designation of John A. Kilpatrick, Ph.D., it is hereby ORDERED that the motion of defendants St. Croix Alumina, L.L.C., Alcoa, Inc., and Glencore Ltd. to exclude the reports, opinions, and testimony of John A. Kilpatrick, Ph.D. (Doc. No. 1278) is DENIED AS MOOT.

BY THE COURT:

<u>/s/ Harvey Bartle III</u>	
HARVEY BARTLE III	C.J.
SITTING BY DESIGNATION	